

LAKESIDE COMMUNITY COUNCIL MEETING – August 2011

DATE: 08/30/2011 TIME: 7:00pm

PLACE: Lakeside Sewer District Meeting Room; 253 Bierney Creek Rd.

NOTICED: County P&Z website Calendar of Events page; Lakeside Plan Committee's website Calendar Page, posters in Library and Post Office in Lakeside, submitted to DIL Daybook column.

AGENDA:

1. Call to order
2. Sign-in sheet
3. Approve Agenda
4. Approve prior meeting minutes –
 - a. Approve meeting minutes from May, June (no quorum?) and July 2011 (cancelled)
5. Review/recommendations on any County applications in the Lakeside planning area (if any are scheduled)
 - a. None
6. Guest presentations or reports (listed below, if any are scheduled)
 - a. None
7. Sub-committee reports from any LCC authorized subcommittees (listed below, if any are scheduled)
 - a. Blacktail Trail CTEP project agreement
8. Procedural discussions or items (listed below, if any are scheduled)
 - a. Any updates on vacant council seat
 - b. County request for fewer LUAC meetings.
 - c. Local resident request to post meeting minutes on website
9. Public Comment
10. Meeting adjourned

MEETING MINUTES:

Council Members attending: Barb Miller, Mike Wilson, Craig Koontz, Gene Shellerud, David Fetveit

Council Members not attending: Keith Brown & vacant seat

P&Z attendees: Alex Hogle, BJ Grieve

Public: William George, Rex Boller, Tara Fugina (county attorney's office), Tamara Tanberg, Tom Sliter
Jordan Dawson (West Shore News)

MINUTES:

1. Meeting called to order at 7:03pm..
2. Sign in sheet passed.
3. Approve Agenda: Gene motioned, David seconded and passed unanimously to approve the agenda.
4. Approve past meeting minutes:
 - a. May 31: Barb brought up that May meeting minutes indicated Council would send a letter along with the presentation made by Maggie Davis that would request assurance from the County that proposed development in the Edgewater RV Park meets all county regulations, zoning regulations and is following appropriate processes. This letter has not been written. Since the property for sale seems to have been withdrawn from the market and BJ indicated there were some violation complaints pending on the project, it seems such a letter would serve no purpose at this point. Barb inquired if we should amend the 5/31 minutes or just note the matter in minutes for this meeting. After brief discussion, Barb motioned to approve May minutes as is and record the decision to not send the letter in 8/30 minutes; David seconded and passed 4-0 with Gene abstaining.

- b. June minutes: names of those attending and not attending were supplied. Barb motioned minutes be accepted with adjustment (adding the names), Craig seconded & passed unanimously.
- c. July minutes: Barb motioned to approve as written, Craig seconded and passed unanimously.
- 5. No county business to consider.
- 6. No guest presentations.
- 7. Alex Hogle and BJ Grieve were present from Flathead County Planning & Zoning to discuss the status, potential issues, and next steps for the Blacktail Trail with CTEP funding.
 - a. BJ:
 - i. Lakeside is further ahead than the other two projects (Swan Valley & Columbia Falls).
 - ii. Status: MDT/CTEP submitted a project agreement (PA), for Flathead County to sign; there were some errors and corrections needed and the PA was returned to MDT/CETP for revision. It is still there and staffing changes have probably delayed its modification. It is possible a revised PA will be submitted in the next 2-3 weeks.
 - iii. How it works: MDT distributes federal monies to counties for this program. Matching funding from the local entity (Lakeside) is required (between 13-14%). Flathead County does not budget for the local match and the monies must be donated/funded locally. Flathead County administers the project; County is responsible for all project costs. Once the PA is signed (Commissioners), Flathead County P&Z takes over project responsibility.
 - iv. Average project timeline is 2 years.
 - v. P&Z is learning from previous mistakes on other trail projects. They are developing new policies – these will most likely not apply to Blacktail, since our process started well before the policy changes.
 - vi. There has been good progress, but there are some issues.
 - b. Alex:
 - i. Displayed a map of the proposed trail: 6 segments of trail. The road is not centered within the county easement, meaning road crossings will be required. Three areas of critical importance for connectivity and safety reasons – Tamarack Woods subdivision, YWAM, and Blacktail & Stoner Loop intersection, including a potential bridge crossing of Stoner Creek.
 - ii. Financial Issues: Other projects have not met match or began but not finished and those costs must be reimbursed – this has led to cautiousness in managing costs. There is no county budget for trails or the CTEP program costs.
 - 1. 9.64% admin expenses apply and reduce the CTEP amount actually available to \$271,000 & local match of \$42,017.71 for a total of \$313,097 actually available for the trail (rough estimate). This equates to about \$48.14/linear foot for 6500 feet of project.
 - 2. Project needs to maintain & meet intended goals – safety & connectivity.
 - 3. Project segments could be dropped and Construction can be let in “schedules” if needed to control cost.
 - 4. Easements:
 - a. County cannot purchase easements; landowners must donate easements.
 - b. 9 POTENTIALLY NEEDED easements were identified for the Blacktail Trail. 7 owners have indicated via letter of intent, they would be willing to donate. 2 have not responded (Williams Family Trust and Sliter’s Ace Hardware), but these two (at intersection of Blacktail & Stoner Loop), are critical to connectivity.

- c. No contact has been received by the Williams Family Trust; David agreed to try to contact them. The proposed easement would be to be able to cross their driveway; depending on the engineering survey results it's possible the county easement could be used and an easement may not even be needed.
- c. Tom Sliter (owner of property where Ace Hardware is located).
 - i. This property is owned by The Sliter Family LLC.
 - ii. The family has always been strong on safety.
 - iii. The property has been encroached on with the path of Blacktail Rd and the Sliters have been generous.
- d. Questions:
 - i. Are addition CTEP allocations possible? Alex responded yes and that 2011 allocations to the county have not yet been received.
 - ii. Could \$ from other projects be reallocated? Alex responded yes and there are definitely issues with the other two projects, but there are also additional projects wanting funding.
- e. BJ on fund raising:
 - i. County Attorney has indicated it is not appropriate for the Trails Committee or the Community Council to participate/sponsor fund raising, to accumulate funds or to disburse funds.
 - ii. Trails Committee cannot raise funds and transfer to 5013c. (Note that the Lakeside Community Development Foundation is a 5013c independent of the Community Council & the Trails Committee and already holds \$600 for the Blacktail Trail).
 - iii. BJ's recommendation was to disband the Trails Committee and let the 5013c Foundation raise the funds and be the decision making entity.
 - iv. Barb noted that Lakeside has the communications network – the Lakeside-Somers Voice, a voluntary and independent email distribution list – that can be used to solicit donations and encourage individuals and organizations to plan and hold fund-raising events. And the Lakeside Community Development Foundation could possibly collect and manage the funds and deal directly with the County on disbursements. David will speak with Muffie Thompson to see if the Foundation is willing to help raise and manage the local match funds.
 - v. Alex indicated that matching funds needs to be available 30-60 days after the PA is signed by the Flathead Commissioners.
 - vi. Tara indicated that the Planning Office will pursue the easements needed for the trail as the project moves forward.
- f. Council determined that two agenda items need to be added to September's meeting (9/27):
 - i. Dissolution of the Trails Committee.
 - ii. Results of David's communication with the Lakeside Community Development Foundation.

8. Procedural

- a. Vacant council seat: Commissioners to consider the appointment in their 8/31/2011 session at 9:15am.
- b. County request for fewer LUAC (i.e., Community Council) meetings: Barb commented that the community should have every opportunity, on a predictable scheduled basis, where they could bring their comments, issues and concerns to the Council. Barb read an email from a Lakeside resident supporting Council meetings for the community (attached at the end of these minutes). Mike expressed his agreement. Barb moved, David seconded and passed unanimously to

maintain the Council meetings according to the By-Laws – once per month on the last Tuesday of the month. Motion passed unanimously.

- c. Local resident request to post meeting minutes on the website: Barb noted that the County already posts meeting minutes on their website and therefore we do not need to put them on the LakesidePlan2008.com website. Craig motioned, Gene seconded and passed unanimously to not put the minutes on any website except the County's. Barb will communicate back to Jim Clarke.

9. Public Comments: none offered

10. Meeting adjourned at 8:35pm.

Sender: "beach2mtns@bresnan.net" <beach2mtns@bresnan.net>

Subject: Fw: LUAC meetings

Date: Tue, 30 Aug 2011 07:34:04 -0600 (Mountain Daylight Time)

To: <lakesidecommunitycouncil@bresnan.net>

-----Original Message-----

From: blems@aol.com

Date: 8/30/2011 12:02:16 AM

To: bgrieve@flathead.mt.gov

Subject: LUAC meetings

Hi BJ,

The West Shore News recently published the Planning Dept memo regarding having land use advisory committee meetings only when the Planning and Zoning requirements dictated their input. Composed of local elected officials, the Lakeside Community Council is an entity that is not just an agency of the county planning department. It seems appropriate that the Council consider matters of a much broader concern to the community. These could include, but are not limited to, fire protection, parks, QRU, paths, natural gas availability, wildlife, and such items that the public might bring to its attention. Not every agenda will have land use hearings or P and Z actions to be taken; and in such cases, it is appropriate for P and Z to be unrepresented in person. A conscientious LUAC that meets regularly is an asset to the community and ultimately to the county.

Thanks, Maggie Davis